

Bill no.:	HR 4127
	H.L.C.
Amendment no.:	10
Date offered:	11/3/05
Disposition:	Withdrawn

AMENDMENT TO HR 4127

OFFERED BY MR. MARKEY

Protection of social security numbers

Page 11, after line 7, insert the following new section (and redesignated succeeding sections accordingly):

1 **SEC. 4. REGULATION OF THE SALE AND PURCHASE OF SO-**
2 **CIAL SECURITY NUMBERS.**

3 (a) PROHIBITION.—It shall be unlawful for any per-
4 son to sell or purchase a Social Security number or Social
5 Security account number in a manner that violates a regu-
6 lation promulgated by the Commission under subsection
7 (b).

8 (b) REGULATIONS.—

9 (1) RESTRICTIONS AUTHORIZED.—Not later
10 than 1 year after the date of enactment of this Act,
11 the Commission, after consultation with the Com-
12 missioner of Social Security, the Attorney General,
13 and other agencies as the Commission deems appro-
14 priate, shall promulgate regulations restricting the
15 sale and purchase of Social Security numbers and
16 Social Security account numbers and any unfair or
17 deceptive acts or practices in connection with the



1 sale and purchase of Social Security numbers and
2 Social Security account numbers.

3 (2) LIMITATIONS ON RESTRICTIONS.—In pro-
4 mulgating such regulations, the Commission shall
5 impose restrictions and conditions on the sale and
6 purchase of Social Security numbers and Social Se-
7 curity account numbers that are no broader than
8 necessary—

9 (A) to provide reasonable assurance that
10 Social Security numbers and Social Security ac-
11 count numbers will not be used to commit or
12 facilitate fraud, deception, or crime; and

13 (B) to prevent an undue risk of bodily,
14 emotional, or financial harm to individuals, tak-
15 ing into account the nature, likelihood, and se-
16 verity of the anticipated harm; the nature, like-
17 lihood, and extent of any benefits that could be
18 realized from the sale or purchase of the num-
19 bers; and any other relevant factors.

20 (3) EXCEPTIONS.—The regulations promul-
21 gated pursuant to this subsection shall include ex-
22 ceptions which permit the sale and purchase of So-
23 cial Security numbers and Social Security account
24 numbers—



1 (A) to the extent necessary for law enforce-
2 ment or national security purposes;

3 (B) to the extent necessary for public
4 health purposes;

5 (C) to the extent necessary in emergency
6 situations to protect the health or safety of 1
7 or more individuals;

8 (D) to the extent necessary for research
9 conducted for the purpose of advancing public
10 knowledge, on the condition that the researcher
11 provides adequate assurances that—

12 (i) the Social Security numbers or So-
13 cial Security account numbers will not be
14 used to harass, target, or publicly reveal
15 information concerning any identifiable in-
16 dividuals;

17 (ii) information about identifiable in-
18 dividuals obtained from the research will
19 not be used to make decisions that directly
20 affect the rights, benefits, or privileges of
21 specific individuals; and

22 (iii) the researcher has in place appro-
23 priate safeguards to protect the privacy
24 and confidentiality of any information
25 about identifiable individuals;



1 (E) to the extent consistent with an indi-
2 vidual's voluntary and affirmative written con-
3 sent to the sale or purchase of a Social Security
4 number or Social Security account number that
5 has been assigned to that individual; and

6 (F) under other appropriate circumstances
7 as the Commission may determine and as are
8 consistent with the principles in paragraph (2).

Page 11, line 11, strike "section 2 or 3" and insert
"sections 2, 3, or 4".

